

LIGHT AND HARBOR DUES

Treaty signed at Washington for the United States and the United Kingdom June 5, 1903, amending treaty of September 21, 1833
Ratified by the United Kingdom June 30, 1903
Senate advice and consent to ratification November 25, 1903
Ratified by the President of the United States December 8, 1903
Ratifications exchanged at Washington December 24, 1903
Entered into force December 24, 1903
Proclaimed by the President of the United States December 24, 1903
*Not continued in force after April 26, 1964*¹

33 Stat. 2172; Treaty Series 429

Whereas it is provided by Article III [3] of the Treaty of Amity and Commerce concluded September 21st 1833,² between the United States of America and His Highness the Sultan of Muscat, which treaty was accepted by His Highness the Sultan of Zanzibar after the separation of that state from the jurisdiction of Muscat, that vessels of the United States entering any ports of the Sultan's dominions shall pay no more than five per centum duties on the cargo landed; and this shall be in full consideration of all import and export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever;

And whereas no provision is made in the above mentioned treaty nor in any subsequent agreement for the payment of light and harbor dues in the dominions of His Highness the Sultan;

And whereas the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar are desirous, in the interest of commerce, of so amending the said Article III of the said Treaty of Amity and Commerce of September 21st 1833, as to permit the imposition of light dues at the rate of one anna upon every registered ton, with an added harbor due of one anna upon every registered ton, on vessels of the United States entering the ports in the islands of Zanzibar and Pemba;

¹ See footnote 3, *ante*, p. 1289.

² TS 247, *ante*, vol. 9, p. 1291, MUSCAT.

Now, therefore, the High Contracting Parties have to that end resolved to conclude a convention, and have for this purpose appointed their plenipotentiaries, to wit:

The President of the United States of America, John Hay, Secretary of State of the United States; and

His Britannic Majesty, The Right Honorable Sir Michael H. Herbert, G.C.M.G., C.B., His Majesty's Ambassador Extraordinary and Plenipotentiary;

Who, having exhibited each to the other their respective full powers which were found to be in due and proper form, have agreed upon the following articles:

ARTICLE I

It is understood and agreed between the High Contracting Parties that nothing contained in said Article III of the said Convention of September 21st 1833, shall be construed as preventing the imposition on and collection from vessels of the United States entering any port in the islands of Zanzibar and Pemba of a light due of one anna per registered ton and an added harbor due of one anna per registered ton, His Britannic Majesty, acting in the name of His Highness the Sultan of Zanzibar, engaging that the light and harbor dues so imposed and collected shall be applied to the construction and maintenance of lighthouses and buoys for the proper lighting of the coasts of the said islands.

ARTICLE II

It is further understood and agreed between the High Contracting Parties that the consent of the United States to the imposition and collection of the light and harbor dues aforesaid is given on the conditions:

1. That really adequate lighthouses are provided and maintained; also that lights shall be placed upon the buoys when required by American vessels entering or leaving the harbor of Zanzibar at night.

2. That accounts of the receipts and expenditure of the dues are carefully kept and published.

3. That provision be made for the reduction of the dues if they should hereafter become disproportionate to the expenditure.

4. That the consent of all the other Powers having treaties with Zanzibar be given to the imposition of the said light and harbor dues on their vessels, and that vessels of the United States be subject to no differential treatment.

ARTICLE III

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by his Britannic Majesty, and the ratifications shall be exchanged in the City of Washington as soon as practicable.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at the City of Washington, this first day of June, in the year one thousand nine hundred and three.

JOHN HAY	[SEAL]
MICHAEL H. HERBERT	[SEAL]